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4 **CALIFORNIA DEPARTMENT OF WATER**
5 **RESOURCES**

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13 **BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

14 **HEARING IN THE MATTER OF**
15 **CALIFORNIA DEPARTMENT OF**
16 **WATER RESOURCES AND UNITED**
17 **STATES BUREAU OF RECLAMATION**
18 **REQUEST FOR A CHANGE IN POINT**
19 **OF DIVERSION FOR CALIFORNIA**
20 **WATER FIX**

21 **CALIFORNIA DEPARTMENT OF**
22 **WATER RESOURCES' OBJECTIONS TO**
23 **THE SUR-REBUTTAL TESTIMONY OF**
24 **DR. PAULSON ON BEHALF OF CITY OF**
25 **ANTIOCH, ANTIOCH – 700**

26 Pursuant to the Hearing Officers ruling on Friday, September 28, 2018, Department of
27 Water Resources (DWR) hereby submits its objection to the sur-rebuttal testimony of Dr. Paulsen
28 on behalf of City of Antioch, Antioch-700. DWR objects that Opinions 1 and 2 of Dr. Paulsen's
usr-rebuttal testimony are wholly repetitive of Dr. Paulsen's testimony provided in Antioch's
Case-in-Chief, Antioch 500-errata, and in Part 2 rebuttal, Antioch-600, providing no new
evidence on usr-rebuttal.

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1 In their September 10, 2018 ruling, the Hearing Officer's expressly provided for rebuttal
2 testimony in response to Dr. Chilmakuri's Opinion Number 5 concerning salinity requirements
3 for the City of Antioch's municipal and industrial use (DWR-1217, pp. 11-15.) However, the
4 Hearing Officers reminded the parties that sur-rebuttal does not include repetitive evidence,
5 **including information submitted during rebuttal.**

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7 In response to Dr. Chilmakuri's testimony, Dr. Paulson, in Opinions 1 and 2 of Antioch 700,
8 merely re-summarizes her results and conclusions from Antioch 500-errata and Antioch-600,
9 even using the same charts from Antioch-600. In fact, Dr. Paulsen makes it express that her
10 testimony is indeed intended to be a summarization of Antioch 500 errata and Antioch 600. Aside
11 from her repetition of earlier testimony, Dr. Paulsen provides no new evidence that was not
12 already laid out in her earlier Part 2 testimony. For this reason, DWR respectfully moves to strike
13 Dr. Paulsen's Opinions 1 and 2 in Antioch-700, pages 3:3 to 8:24.
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16 Dated: October 1, 2018

CALIFORNIA DEPARTMENT OF WATER
RESOURCES

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